



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mohammed N. Islam et al.  
Serial No.: 10/849,346  
Filed: May 19, 2004  
Group No.: 2873  
Examiner: David N. Spector  
Notice of Allowance Mailed: October 7, 2004  
Confirmation No.: 6695  
Title: MICROMECHANICAL OPTICAL SWITCH

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

**TRANSMITTAL OF VERIFIED STATEMENT  
CLAIMING SMALL ENTITY STATUS**

A Verified Statement Claiming Small Entity Status (37 C.F.R. 1.27(a)(c)) — Small Business Concern is transmitted herewith for filing in the above-identified patent application.

Respectfully submitted,  
BAKER BOTTS L.L.P.  
Attorneys for Applicants

Douglas M. Kubehl  
Registration No. 41,915

Date 11-9-04

**CUSTOMER NO. 05073**

Applicant or Patentee: Mohammed N. Islam et al.  
Serial or Patent No. 10/849,346  
Filed or Issued: May 19, 2004  
Title: MICROMECHANICAL OPTICAL SWITCH

Attorney's Docket 074036.0134

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.27(a)(2)) – SMALL BUSINESS CONCERN**

I hereby declare that I am an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern: Cheetah Omni, LLC  
Address of Small Business Concern: 647 Spring Valley Drive  
Barton Hills Village  
Ann Arbor, Michigan 48105

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121, and in 37 CFR 1.27(a), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either one concern controls, directly or indirectly, or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled *Micromechanical Optical Switch* by inventors, Mohammed N. Islam and Amos Kuditcher, described in the specification filed May 19, 2004.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.27(a)(1) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.27(a)(2), or a nonprofit organization under 37 CFR 1.27(a)(3):

NONE

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.27(g)(2)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Mohammed N. Islam  
Title of Person if other than owner: Founder & CTO  
Address: 647 Spring Valley Drive  
Barton Hills Village  
Ann Arbor, Michigan 48105

Signature:



Date:

10/15/04